

AO 91 (Rev. 08/09) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

OCT 14 2020

for the
Southern District of Texas

David J. Bradley, Clerk

United States of America
v.
Luis Carlos GUERRA-Rodriguez
08/02/1992, US Citizen

Case No.

M-20-2163-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 13, 2020 in the county of Starr in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC 841
21 USC 952

Offense Description

Defendant did, knowingly and intentionally possess with the intent to import into the United States and distribute approximately 6.78 kilograms of cocaine, a Schedule II controlled substance

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by AUSA S. DiPiazza

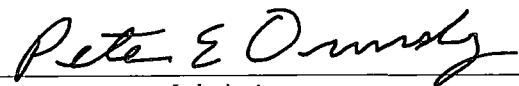
Sworn to and executed by reliable
electronic means, per FRCP 4.1, &
probable cause found on:

/s/ Nathaniel J. Yates

Complainant's signature

Nathaniel Yates, HSI Special Agent

Printed name and title

Date: 10/13/2020 ¹⁴ 8:06 a.m.City and state: McAllen, Texas

Judge's signature

Peter J. Ormsby, U.S. Magistrate

Printed name and title

Attachment A

On October 13, 2020, a blue Chevrolet Malibu, being driven by Luis Carlos GUERRA-Rodriguez, arrived at the Roma, Texas Port of Entry (POE) and attempted to make entry into the United States from Mexico. A Customs and Border Protection Officer (CBPO) sent the vehicle for x-ray examination. CBPOs at the x-ray examination area utilized an x-ray machine and observed anomalies in both of the vehicle's rear door panels. CBPOs investigated further and removed a total of six (6) bundles, three (3) from each door. Each bundle contained a white, powdery substance suspected to be cocaine. The total weight of the six (6) bundles was 6.78 kilograms. CBPOs conducted a field test using a Gemini machine on a small sample from each of the bundles. Each test resulted in a positive for the presence of Cocaine, a Schedule II controlled substance.

U.S. Immigration and Customs Enforcement Special Agents assigned to Homeland Security Investigations, Office of the Resident Agent in Charge, Falcon Dam, Texas were contacted and responded to the Roma POE. Special Agents read the Miranda Rights advisement, in the Spanish language, to GUERRA-Rodriguez. GUERRA-Rodriguez stated he understood the advisement and agreed to speak with the Special Agents.

During the interview, GUERRA-Rodriguez denied knowledge of the presence of the cocaine inside his vehicle. GUERRA-Rodriguez stated he had driven the same vehicle into the United States from Mexico recently, and had gone through the x-ray machine at the Roma POE. GUERRA-Rodriguez indicated that he had been the only person to use the vehicle since that previous crossing, that the vehicle had been under his control during that time, and that the vehicle, when not being used, is parked in an area near his home which is secured by a fence. Special Agents checked and determined that GUERRA-Rodriguez crossed into the United States from Mexico via the Roma POE on September 20, 2020. During this crossing, GUERRA-Rodriguez drove the same blue Malibu through the POE's x-ray machine and the result was negative.